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SUBJECT: Sudan: Government-Imposed Impediments to  
Humanitarian Assistance

REF: Khartoum 0149

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Summary  
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¶1. Non-governmental organizations (NGOs) working in Darfur are becoming increasingly frustrated by Sudanese government Humanitarian Aid Commission (HAC) procedures on reporting, hiring, permits, and visas. The Technical Coordination Committee, which was formed to monitor the implementation of the "fast-track system," no longer meets, and the U.N. has not engaged donors on this issue as it had in 2004 and 2005. The increasing number of restrictions, combined with the insecurity in the region (reported septels), is slowly but steadily eroding humanitarian space and capacity in Darfur.

¶2. These constraints gradually reduce the ability of NGOs to deliver services in Darfur in an efficient manner. Added to this is the closing of humanitarian space owing to insecurity (reported in septels). Humanitarian actors in Darfur believe we are returning to the situation as it was in 2004, when the humanitarian community was blocked from delivering services to war victims in Darfur. As reported reftel, the U.S. Charge d'Affaires met with the Government of National Unity (GNU) Minister of Humanitarian Affairs and HAC Commissioner regarding many of the challenges to the humanitarian community outlined here. Post will raise these issues yet again with the HAC and Ministry of Humanitarian Affairs. On February 7, post sent a letter signed by the USAID Senior Humanitarian Affairs Advisor to the HAC Commissioner urging action on particular issues concerning HAC impediments to the work of the humanitarian community in Sudan. However, the U.N. also needs to show leadership on this issue by reforming the donor principals group to advocate on these issues with the government. End Summary.

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Background  
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¶3. Since the surge in humanitarian needs in 2004, a continuing dialogue has been occurring with the Government of Sudan (GOS), and now the Government of

National Unity (GNU), regarding humanitarian access in Darfur. In 2004, the GOS dragged its feet on permitting new NGOs to come to Sudan to work in Darfur because of the military operations that were underway at the time. Following very heavy diplomatic pressure from a strong donor principals group, a special status known as "the fast track system" was negotiated for NGOs coming to operate in Darfur. This system imposed a moratorium on a number of procedures that normally could take up to a year to accomplish, if an NGO followed the normal application process to work in Sudan. The moratorium authorized the following: (a) immediate accreditation to work in Darfur (only); (b) visas within 48 hours issued at all Sudanese embassies around the world, limited to validity of three months; (c) expedited handling of all requests for importation of project supplies for Darfur; and (d) rapid customs clearance of drugs imported for health programs and limited sample testing in order to maximize shelf life in the field.

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Visa Restrictions  
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14. Since that time, the government has maintained the three-month visa system despite efforts by the U.N. to obtain one-year visas for humanitarian workers in Darfur. The current moratorium for Darfur expired on December 31, but was extended until January 31 in view of the end of year holiday season. All NGOs therefore had to renew their employees' visas on January 31. Some staff who were out of the country on that date are now having difficulty obtaining re-entry visas. It is worth noting that visa renewal costs USD 240. With approximately

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1,000 relief workers in Darfur, this is a significant source of income for the HAC.

15. Development Alternatives, Inc (DAI), the implementing partner of USAID's Office of Transition Initiatives (USAID/OTI), has been unable to obtain a one-year visa for its chief of party, an Irish national, much less a three-month renewable visa under the Darfur practice. Another expatriate staff member, a U.S. national, has been denied a visa to return to Sudan. The Embassy and USAID have raised this issue with the authorities, but with no positive results to date other than the issuance of a work permit for the chief of party, which is useless without a visa.

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HAC Involvement in Staff Hiring  
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16. The most intrusive of HAC policies, and the one to which NGOs object the most, relates to the level of HAC involvement in staff recruitment. All hiring must go through the HAC. When an NGO wishes to advertise an opening, the HAC must first approve, the NGO must pay a fee, and the HAC posts the job. Applicants submit their paperwork to the HAC, not to the hiring NGO. The HAC sets a review date, sometimes several months after the job has been posted. The NGO comes to the HAC office to review the applications, many of which have been misplaced or confused with other NGOs' applications. The HAC selects the individuals it deems most qualified for the jobs and very frequently attempts to dismiss the CVs selected by the NGO. If the NGO rejects one candidate that the HAC wants, the HAC usually slips the CV back in at the bottom of the pile to be reviewed again. Southerners who attempt to submit applications are often eliminated immediately because they have not fulfilled the military service "requirement" in the north. Diaspora applicants, particularly southerners, withdraw their applications when they learn that the HAC will be

screening them.

¶7. Following this lengthy screening process, the HAC selects a date for interviews, again, often several months away (due to the "workload" at the HAC). Usually, the NGOs tell us, only one or two of the applicants show up on the appointed day. All interviews are conducted on the HAC premises, with no opportunity for NGOs to interview candidates in private. NGOs are also unable to contact applicants themselves, because the HAC does not show them the applications. (Comment: At times, NGOs have been able to "read" phone numbers from the applications, most often those belonging to applicants who failed to come for their interviews and are often the candidates the NGOs prefer to hire. When NGOs have contacted these candidates, they have learned that the HAC never invited them to an interview. End comment.) The HAC schedules a second round of interviews and, again, only a few candidates show up. The interview process is accordingly lengthy, while this cat and mouse game with the HAC is played. One NGO reported that it took five months to hire a cashier.

¶8. NGOs must inform the HAC of expatriates who are arriving in the country. It is not unusual - indeed it was frequent during the early days of the Darfur crisis - for the HAC to refuse an expatriate NGO employee a work permit on the pretext that a Sudanese member of staff can do the job adequately. An NGO recently had this problem with technical staff in water and sanitation. It makes it difficult to meet the HAC's requirement for "capacity building" if NGOs cannot bring in experts capable of training national staff, or local organizations which might work with the NGO.

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New Reporting Requirements Linked to Travel Permits  
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¶9. Beginning in late 2004, the HAC insisted that all

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NGOs submit reports on their activities in Darfur, as they are required to do for work elsewhere in the country. These reports are submitted monthly and provide the key information about NGO activities. Often, they are nearly the same reports submitted to donors, but the NGOs do not provide financial details to the HAC. The HAC has also introduced a new annual reporting format that calls for more detailed information than required in the past. NGOs object to the intrusive questions on finances, especially as they relate to payroll and salaries. The international NGO consortium members have agreed to provide annual and monthly reports to the HAC, but have refused to provide detailed budget information. In the regions, HAC officials are now linking submission of reports by NGOs to issuance of travel permits to field sites. Several NGOs that have failed to submit monthly or annual reports have been denied permission to travel to the field. DAI's chief of party has been denied permission to travel outside Khartoum despite having submitted a report. The HAC is demanding the financial details on DAI's activities.

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Training Requirements  
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¶10. For the last few years, HAC has been trying to broaden the role of national NGOs in the humanitarian response. There is general agreement that this is a desirable goal, but the HAC is denying visas to some international staff of NGOs on the grounds that national staff can fill the indicated position. International NGOs are objecting on the grounds that the international staff are needed precisely in order to train national

staff to take a given job. As a result, HAC has instituted a new system of "internships" under the guise of building national capacity. HAC's real intention appears to be, based on a review of this issue with a number of NGOs, to place friends and relatives with organizations. The NGO is not given the opportunity to select the intern or the position to be filled. Quite by luck, a qualified individual may be chosen, but in most instances, NGOs have had to accept "interns" with backgrounds unsuited to the positions. OTI's partner DAI has also been instructed to take on interns.

HUME